

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JEREMY BROWN,

Petitioner,

v.

3:04-cr-137
3:13-cv-012

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM AND ORDER

This is a *pro se* motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 filed by petitioner Jeremy Brown ("petitioner"). The § 2255 motion was received by the court after the expiration of the one-year statute of limitation and petitioner was ordered to show cause why his § 2255 motion should not be dismissed as untimely. Petitioner filed his response and contends that he is entitled to relief under the doctrine of equitable tolling. The United States Attorney was ordered to respond to petitioner's claim that he is entitled to equitable tolling of the statute of limitation, and he has filed his response in opposition. There are pending several motions filed by petitioner.

Petitioner has filed a motion for extension of time to file his traverse after the government files its response to the § 2255 on the merits. The motion for extension of time [Court File No. 32] is premature and it is **DENIED WITHOUT PREJUDICE**.

Petitioner has filed a motion to receive a full copy of all records pertaining to his § 2255 motion, and claims that all his legal materials pertaining to the § 2255 were confiscated by prison officials. Petitioner has also filed a motion to be re-served with a copy of the government's response in opposition and for an extension of time within which to respond. These motions [Court File Nos. 37 and 38, respectively] are **GRANTED** as follows: The Clerk is **DIRECTED** to mail to petitioner copies of his § 2255 motion to vacate [Court File No. 31], his response to the show cause order with attachments [Court File No. 34], and the government's response in opposition [Court File No. 36]. Petitioner shall have up to and including May 17, 2013, to respond to the government's response in opposition.

ENTER:

s/ Thomas W. Phillips
United States District Judge